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**STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD**

**IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST**

**ORDER DENYING REQUEST FOR
REMOVAL OF LIMITATIONS
LS06101819APP**

**JOHN R. METTNER,
RESPONDENT.**

Division of Enforcement Case No. 04 APP 037, 05 APP 004 and 05 APP 020

John R. Mettner
3790 Misty Meadow Lane
De Pere, Wisconsin 54115

Atty. Mark A. Herman
Department of Regulation & Licensing
P.O. Box 8935
Madison, Wisconsin 53708

BACKGROUND

On October 18, 2006, the Real Estate Appraisers Board (Board) issued a Final Decision and Order adopting a Stipulation signed by the parties in the above-captioned matter. Paragraph 2 of the Order contained in the Final Decision and Order adopting the Stipulation reads as follows:

2. The license and certification of Respondent John R. Mettner (#4-1262) shall be, and here by is, **SUSPENDED** for a period of sixty (60) days, beginning thirty (30) days after the date of signing of this Order. Additionally, the license and certification of Respondent John R. Mettner shall be, and hereby is, **LIMITED** as follows: (a) John R. Mettner may not sign any appraisal as a supervisory appraiser; (b) John R. Mettner may not rely upon substantial appraisal work performed by another; (c) John R. Mettner may only sign appraisals of real estate regarding subject properties located within the area of Multiple Listing Service organizations of which he is a member as of the date of signing the appraisal, and where a minimally competent search for comparable properties does not require access to data regarding potential comparables located outside the area of such Multiple Listing Service. The limitations may be removed no sooner than one (1) year after the date of signing of this Order, and only if all terms and conditions of this Order that are applicable to Respondent have been complied with. At a minimum, Respondent's petition for removal of this limitation also include: (a) a copy of Respondent's roster of all appraisals performed since the date of signing of this Order. These limitations shall not be removed until the Board's Monitoring Liaison has reviewed no less than three appraisal reports, which shall be selected at random from Respondent's roster. Respondent shall submit the complete file of any appraisal report requested, to include all notes, sketches, and data gathered regarding comparable sales selected, and comparable sales considered but not selected, within seven (7) days of receiving a request for said appraisal report.

On or about February 7, 2008, Mr. Mettner submitted a roster to the Board that contained appraisals that he performed in 2008. On or about February 8, 2008, Mr. Mettner filed a request with the Board for removal of the limitations placed on his license in the Board's Final Decision and Order, dated October 18, 2006. On May 20, 2008, a member of the Board completed a review of 3 of the appraisal reports identified in Mr. Mettner's roster. The Board member determined that the 3 appraisal reports prepared by Mr. Mettner did not comply with the Uniform Standards of Professional Appraisal Practice

(USPAP).

On or about July 1, 2008, Mr. Mettner submitted a second roster containing appraisals that he performed in 2008 after he completed the educational course work required under paragraph 3 of the Board Order. On August 11, 2008, a member of the Board completed a review of 3 of the appraisal reports identified in Mr. Mettner's second roster. The Board member determined that the 3 appraisal reports prepared by Mr. Mettner did not comply with the Uniform Standards of Professional Appraisal Practice (USPAP).

On August 13, 2008, the Board considered Mr. Mettner's request for removal of the limitations placed on his license. Based upon the record, the Real Estate Appraisers Board issues the following order:

ORDER

NOW, THEREFORE, IT IS ORDERED that John R. Mettner's request for removal of the limitations placed on his Real Estate Appraiser license, as set forth in paragraph 2 of the Order contained in the Board's Final Decision and Order, dated October 18, 2006, be, and hereby is, denied.

This order is effective on the date on which it is signed by a designee of the Board.

REQUEST FOR HEARING

PLEASE NOTE that you have a right to a hearing on the denial of the removal of the limitations on your license if you file a request for hearing in accordance with the provisions of Ch. RL 1 of the Wisconsin Administrative Code. You may request a hearing within 45 calendar days after the mailing of this notice of denial. Your request must be submitted in writing to the REAL ESTATE APPRAISERS BOARD at:

Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, Wisconsin 53708-8935

The request must contain your name and address, the type of credential that you hold, a specific description of the mistake in fact or law that you assert was made in the denial of the removal of limitations on your license, and a concise statement of the essential facts which you intend to prove at the hearing. You will be notified in writing of the Real Estate Appraisers Board's decision. Under s. RL 1.08 of the Wisconsin Administrative Code, a request for a hearing is denied if a response to a request for a hearing is not issued within 45 days of its receipt by the Real Estate Appraisers Board. Time periods for a petition for review begin to run 45 days after the Real Estate Appraisers Board has received a request for a hearing and has not responded.

Dated this 15th day of September 2008.

Marla Britton, Chairman
Real Estate Appraisers Board